

Harman Asked Why He Fights Newsdealers

Aldermanic Investigation Into Strike of Venders Against Hearst Is Urged

Resolution Is Referred

Falconer Questions Right of Park Commissioner to Assume Censorship

The fight of newsdealers who struck against handling Hearst's newspapers for the protests of their customers that these publications were un-American, was brought officially before the Board of Aldermen yesterday.

Alderman Bruce M. Falconer was the sponsor of the resolution. He called upon John N. Harman, Park Commissioner of Brooklyn, to explain his fight on John Williamson and his brother now in France, who jointly conduct the newsstands at Borough Hall Park, Brooklyn.

The Falconer resolution reads: "Resolved, that the Commissioner of Parks for Brooklyn be and he is hereby requested to furnish this board, at its next meeting, full information as to: 1. His aim and purpose in so wordily his advertisement in 'The City Record' of Tuesday, December 17, 1918, at page 6013, and of other recent dates relating to sealed bids for news to be offered for sale at the stands, on Joralemon Street, that it applies to the leading newspapers instead of to any and all newspapers; and 2. His aim and purpose in inserting the following clause in the advertisement, to wit: 'The Commissioner reserves the right to designate and determine the leading newspapers which must be offered for sale at the stands, and'

3. By or under what provision of the state laws, City Charter or ordinance he assumes to have the right to insert any such clauses as those referred to above as a condition precedent to the sale of news at the stands, and in this city; and 4. The names of the board members of the board, who have sided with Hearst and Mayor Hylan against the striking newsdealers, blocked immediate action on the resolution by raising an objection, so that it was referred to the Committee on General Welfare.

"I have no intention of letting this resolution be buried in committee," said Mr. Falconer. "I shall call it up for consideration at the next meeting."

consideration at the next meeting. It was attracted to the high handed methods of the Park Commissioner by an editorial which appeared in last Saturday's Times.

"The Times" editorial referred to was headed "Another Censor Appears," and read:

"An advertisement in 'The City Record' asks that bids be sent to the Commissioner of Brooklyn Borough for the privilege of selling newspapers at certain mentioned stands on land under his control. The wording of the advertisement is peculiar even to the point of being startling, for not only does it define the privilege as that of selling the 'leading' newspapers and magazines, but it reserves to the commission the truly astonishing right—if it be a right—to designate and determine the leading newspapers which must be offered for sale at the stands."

"This is a large prerogative, and something more than doubt of its legality is warranted. It implies a pretension to the power to tell news vendor what he shall not sell, as well as what he shall, and neither of them, so far as can be recalled, is granted to the Park Commissioner in the city charter."

The advertisement in question calls for the sale on Friday of the stands owned by the Williamsons—one of the leading newspapers in the city, public auction. John Williamson, who is here, looking after both, and fighting the Hearst-Hylan combination to wrest the stands from him and his brother, because they refused to handle Hearst papers, declares that it means that Hearst or some agent of Hearst will bid in the stands.

There is a chance here of a couple of newsdealers, one away in France, against a millionaire newspaper owner," was John Williamson's way of summing up the situation.

Mr. Harman was now restrained by a Supreme Court injunction from interfering, either as an individual or Park Commissioner, with Williamson's business. Harman is proceeding with the proposed auction, it is said, under the theory that nominally the lease of Williamson's will expire on January 1, and that thereafter the injunction will not hold.

Shaw Says Congress Can Not Vacate Wilson's Chair

Asserts Even if Executive Were to Die, Marshall Could Merely 'Act as President'

WASHINGTON, Dec. 17.—Leslie M. Shaw, former Secretary of the Treasury, in a statement to The Associated Press today, declared that should the President Wilson die, Vice-President Marshall would not become President, but could only act as President. Explaining his view that Congress is powerless to declare the office of President vacant, either while the President is abroad or in the event of his death, Mr. Shaw said:

"If I read the law correctly the office of President of the United States is not vacant, and Congress is not authorized under any contingency to declare it vacant."

"If President Wilson should die, Vice-President Marshall would not become President. Fortunately, the Constitution does not leave this question in doubt. The oft quoted and only provision applicable reads as follows: 'In case of the removal of the President from office or of his death, resignation or incapacity, the powers and duties of said office shall devolve on the Vice-President.'"

The same section authorizes Congress to declare what officer shall 'act as President' in the event of the death or disability of both the President and the Vice-President and adds: 'and such officer shall act accordingly until the disability be removed or a President shall be elected.'"

John Tyler, Andrew Johnson, Chester Arthur and Theodore Roosevelt, each discharged the duties of President when vacancies occurred, but the office of President remained vacant during the unexpected absence of the President.

"Suppose early in the war President Wilson had been kidnapped from Washington and taken aboard a submarine, and the Germans had given out that he had died and been buried at sea. If the supposed vacancy had then been filled by Mr. Marshall becoming President and after the armistice the President had died, the embarrassment would have occurred. This is avoided by the provision I have quoted under which the duties of the office are to simply devolve on the Vice-President."

Medal Given Stefansson

Explorer Is Honored by Geographical Society

Vilhjalmur Stefansson, the explorer, was presented with the medal of the American Geographical Society last night preceding his address to the Society on "The Value of Northern Exploration." The presentation, which comes as an appreciation of his work in the field of geographical discovery, is one which has been accorded only to the most famous explorers of recent years.

The medal, which is given from the Charles P. Daly fund, bears the following inscription: "Vilhjalmur Stefansson, 1918. He learned the ways of the life of the Eskimo, and in a long and perilous journey discovered new lands beyond the Arctic fringe of America."

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